

Time Warner Cable Information Services (South Carolina), LLC, doing business as Time Warner Cable (“TWCIS” or “Applicant”), by its attorneys and pursuant to S.C. Code Ann. § 39-8-10, *et seq.*, and all other applicable rules, statutes and regulations, hereby files this Motion for Protective Treatment (“Motion”) in the above-captioned proceeding. By this Motion, the Applicant seeks protective treatment by the South Carolina Public Service Commission (“Commission”) of TWCIS’ 2009 Telecommunications Company Annual Report to the Commission attached as ***Exhibit 3*** to the Application for Authority for TWCIS to amend its Certificate of Public Convenience and Necessity to authorize TWCIS to serve customers in the geographic areas currently served by Sandhill Telephone Cooperative, Inc. (“Sandhill Telephone”) and for alternative regulation (“Application”). Pursuant to Order No. 2005-226 we are requesting confidential treatment of certain information contained within the Annual Report which TWCIS considers to be highly confidential and strictly proprietary, the public disclosure

of which may result in direct, immediate and substantial harm to the competitive position of TWCIS in South Carolina and elsewhere. Because this Motion is an inseparable part of the Application, it is being filed concurrently therewith.

In support of this Motion, the Applicant provides the following:

1. The exact legal name, address and telephone number of the Applicant is:

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2. Correspondence or communications regarding this Motion should be addressed to:

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#### **I. Description of Confidential Information.**

3. Applicant submitted as *Exhibit 3* TWCIS' 2009 Telecommunications Company Annual Report. The Annual Report contains proprietary business information, the public disclosure of which may result in direct, immediate and substantial harm to the competitive position of the Applicant in South Carolina and elsewhere.

## **II. Grounds for Claim of Confidentiality.**

4. The Commission concluded in Order Nos. 2004-213, 2005-385(A), and 2009-356 that TWCIS is financially qualified to provide telephone services in South Carolina. TWCIS does not issue annual reports or submit financial statements to the Securities and Exchange Commission. The information contained in TWCIS' 2009 Telecommunications Company Annual Report attached as *Exhibit 3* to the Application is not readily available to persons external to TWCIS.

5. Because the Annual Report submitted by TWCIS in support of the Application contains confidential and commercially-sensitive information from which its competitors may derive economic value, TWCIS seeks to protect such material from public disclosure. TWCIS derives independent economic value from the fact that significant, detailed and proprietary information regarding its financial structure and current financing activities is unknown to its competitors. As such, the Company's Annual Report is a "trade secret" as that term is used in South Carolina Trade Secrets Act. *S.C. Code Section 39-8-20(5)*. Given this fact, the disclosure of this information could provide existing and potential competitors, including interexchange carriers ("IXCs") in South Carolina, as well as in other states in which TWCIS provides or intends to provide telecommunications service, with an unfair and undeserved competitive advantage.

6. The Commission granted TWCIS' request for confidential treatment of its 2009 Telecommunications Company Annual Report on April 21, 2010, in Order No. 2010-314. TWCIS respectfully requests that this financial statement disclosed in connection with this application be filed under seal, solely for the purpose of the Commission and the Office of Regulatory Staff's review.

7. TWCIS clarifies herein that its request for protection applies only to the document attached as ***Exhibit 3*** to the Application. TWCIS is not seeking protection of any type for those reports TWCIS is required to file with the Office of Regulatory Staff (“ORS”) should the relief sought in the Application be granted: the Annual Report Form, Gross Receipts Report, and Universal Service Fund Worksheet.

### **CONCLUSION**

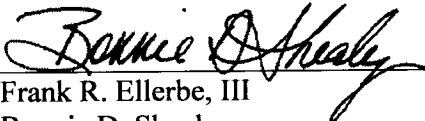
8. The audited financial information included in support of TWCIS Application, for which Confidential Treatment is sought, is both proprietary and competitively-sensitive. The substantial and direct harm that could be caused to TWCIS as a result of any disclosure is real and not speculative. Moreover, to date, no other jurisdiction or governmental agency has required TWCIS to make this information available to the public. For all these reasons, the 2009 Telecommunications Company Annual Report attached as ***Exhibit 3*** to the Application should be protected from public disclosure by the Commission.

WHEREFORE, TWCIS respectfully requests that the Public Service Commission of South Carolina grant this Motion for Protective Treatment with respect to the Annual Report attached as ***Exhibit 3*** to the Application of TWCIS to amend its Certificate of Public Convenience and Necessity in this proceeding.

Dated this 1<sup>st</sup> day of February 2011.

Respectfully submitted,

ROBINSON, MCFADDEN & MOORE, P.C.

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Attorneys for Time Warner Cable Information  
Services, (South Carolina), LLC

**IN RE:     Application of Time Warner Cable  
Information Services (South Carolina), LLC  
d/b/a Time Warner Cable to amend its  
Certificate of Public Convenience and  
Necessity to Provide Telephone Services in the  
Service Area of Sandhill Telephone  
Cooperative, Inc. and for Alternative  
Regulation**

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